

STATE OF NORTH CAROLINA

FILE NO:

NEW HANOVER COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

Plaintiff: **MARK HOLLINGSWORTH**

versus

Defendant: **WILLIAM BLAKE COOK**

CIVIL SUMMONS

GS1A-1, Rules 3, 4

* Alias and Pluries Summons
The summons originally issued
against you was returned not
served.

Date Last Summons Issued :

*Disregard this section unless
the block is checked.

TO:

WILLIAM BLAKE COOK

Name & Address of First Defendant:

**WILLIAM BLAKE COOK
4304 Appleton Way
Wilmington, NC 28412**

Alternate Address

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the Complaint of the Plaintiff as follows:

1. Serve a copy of your written answer to the Complaint upon the Plaintiff or his attorney within thirty (30) days after you have been served upon the Plaintiff or his attorney. You may serve your answer by delivering a copy to him or by mailing it to him at his last known address, and

2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the Complaint, the Plaintiff will apply to the Court for the relief demanded in the Complaint.

Name and Address of the
Plaintiff's Attorney

**Tamara Avis Smith, Esq.
PENNINGTON & SMITH
107 North 6th Street
PO Drawer 2149
Wilmington, NC 28402
(910) 763-3340**

Date Issued: 5-17-18

Time Issued: 3:35 AM ☒ PM

Signature

☒ Deputy CSC ☐ Asst. CSC ☐ Clerk
of Superior Court

ENDORSEMENT

This summons was originally issued on the date indicated above and returned not served. At the request of the Plaintiff, the time within which this summons must be served is extended thirty (30) days.

Date of Endorsement: _____ Time _____ m.

Signature: _____

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk of Superior Court

A TRUE COPY
CLERK OF SUPERIOR COURT
NEW HANOVER COUNTY
BY: *Bridgette Pagliaro*
Deputy Clerk of Superior Court

Exhibit A

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

MARK HOLLINGSWORTH,

Plaintiff,

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.:

vs.

BY

COMPLAINT FOR ALIENATION OF
AFFECTIONS, CRIMINAL CONVERSATION,
AND FOR COMPENSATORY AND PUNITIVE
DAMAGES

WILLIAM BLAKE COOK,

Defendant.

NOW COMES the Plaintiff, complaining of the Defendant, and says and alleges as follows:

**FIRST CLAIM FOR RELIEF
ALIENATION OF AFFECTIONS**

1. The Plaintiff is a resident of New Hanover County, North Carolina.
2. Upon information and belief, Defendant is a citizen and resident of Pennsylvania.
3. On 28 May 2000, the Plaintiff married **SARA HOLLINGSWORTH**, hereinafter referred to as "Hollingsworth" and at all times alleged in this Complaint, Plaintiff was legally married to Hollingsworth.
4. Both Hollingsworth and Plaintiff have resided in North Carolina since their marriage.
5. There were six children born of the marriage, to wit: **Eli Hollingsworth** born 26 April 2002, **Esther Hollingsworth** born 4 March 2004, **Hadarah Hollingsworth** born 28 October 2005, **Joseph Hollingsworth** born 3 April 2008, **Melchizadek Hollingsworth** born 1 March 2010 and **Tirzah Hollingsworth** born 25 November 2011.

A TRUE COPY
CLERK OF SUPERIOR COURT
NEW HANOVER COUNTY
BY: *Bridgette Pagliaro*
Deputy Clerk of Superior Court

6. Hollingsworth and Plaintiff separated on 1 January 2018 ("DOS") due to the wrongful and malicious conduct of Defendant.
7. Beginning before the DOS and continuing up through and after the DOS, Defendant enticed, lured, romanced and seduced Hollingsworth and wrongfully and maliciously alienated her affections from Plaintiff. Defendant's acts and conduct occurring prior to the DOS caused the break-up of Plaintiff's and Hollingsworth's marriage.
8. Since marriage and before the wrongful intrusion and interference into Plaintiff's marriage by the Defendant, Plaintiff and Hollingsworth were happily married and a genuine love and affection existed between the Plaintiff and Hollingsworth. Plaintiff and Hollingsworth loved and cared for each other. Plaintiff was a dutiful, loyal and loving husband and provided a comfortable and happy home and environment for the children and his wife.
9. The love and affection was alienated and destroyed by the Defendant. Plaintiff's happy home and marriage has been destroyed. The Parties' six minor children now endure a broken home which was caused by Defendant.
10. The acts and conduct of the Defendant which destroyed and alienated the love and affection between the Plaintiff and Hollingsworth included, but were not limited to, the following:
 - a. Romantic contact in the State of North Carolina;
 - b. Affectionate and intimate correspondence between Defendant and Hollingsworth espousing affection between him and Hollingsworth including, but not limited to, emails, letters, cards, internet posts and telephone

conversations. These correspondences originated from North Carolina and/or were sent to North Carolina by Defendant and Hollingsworth;

- c. Conduct designed to lure and entice Hollingsworth to leave Plaintiff;
 - d. Commission of acts of adultery, oral sex and other forms of sexual contact between the Defendant and Hollingsworth in the State of North Carolina;
 - e. Impregnating Defendant with his child;
 - f. Upon information and belief, he allowed Hollingsworth and the minor children to stay at his residence for several overnights during a trip taken during the marriage.
11. Upon information and belief, and even after DOS, Defendant has continued with his campaign to wrongfully be with Hollingsworth. The conduct of the Defendant was wrongful and malicious and brought about the loss and alienation of the love and affection between the Plaintiff and Hollingsworth.
12. The Defendant knew that his conduct was wrong and that his conduct deprived the Plaintiff of the love and affection of Hollingsworth, including the loss of society, companionship and comfort of Hollingsworth.
13. As a result of the wrongful and malicious acts of the Defendant, the Plaintiff has lost and been wrongfully deprived of the comfort, support, consortium, company, cooperation, love and affections of Hollingsworth. In addition, Defendant's actions have damaged the Plaintiff's health, feelings and reputation in the community. Defendant's actions have caused Plaintiff the fear of disease. Defendant has broken the loving and caring home that existed for Plaintiff's children.

14. The Plaintiff is entitled to recover compensatory damages of the Defendant in an amount in excess of \$25,000.00.

**SECOND CLAIM FOR RELIEF
CRIMINAL CONVERSATION**

15. Paragraphs "1" through "14" are re-alleged.
16. During the course of the Plaintiff's marriage to Hollingsworth and on or before the DOS, the Defendant engaged in sexual intercourse and other intimate and sexual acts with Hollingsworth in North Carolina.
17. At the time that the Defendant engaged in sexual intercourse with Hollingsworth, a valid marriage existed between the Plaintiff and Hollingsworth.
18. The Plaintiff did not consent to the sexual intercourse and did not connive in any way in the Defendant's acts.
19. As a result of the Defendant's actions, the Plaintiff has suffered the loss of Hollingsworth's companionship, mental anguish and humiliation, injury to his health and family honor, the fear of disease, and loss of monetary and emotional support from Hollingsworth.
20. Plaintiff is entitled to recover compensatory damages of the Defendant in an amount in excess of \$25,000.00.

**THIRD CLAIM FOR RELIEF
PUNITIVE DAMAGES**

21. Paragraphs "1" through "20" are re-alleged.
22. The actions of the Defendant were intentional, willful, wanton and in reckless disregard of the rights of the Plaintiff.

23. The actions of the Defendant have maliciously deprived the Plaintiff of those aspects of the marital relationship previously described.
24. As a result of the Defendant's conduct, the Plaintiff is entitled to recover punitive damages of the Defendant in an amount in excess of \$25,000.00.

WHEREFORE, the Plaintiff prays for relief as follows:

1. That the Plaintiff have and recover of the Defendant an amount in excess of \$25,000.00 as compensatory damages for alienation of affections.
2. That the Plaintiff have and recover of the Defendant an amount in excess of \$25,000.00 as compensatory damages for criminal conversation.
3. That the Plaintiff have and recover of the Defendant an amount in excess of \$25,000.00 as punitive damages for each of the above two claims.
4. For a trial by jury on all issues so triable.
5. For prejudgment interest from the date of the filing of this Complaint.
6. For reasonable attorney's fees, if appropriate.
7. For such further and other relief as the Court deems just and proper.

DATED: 17 May 2018.

PENNINGTON & SMITH, PLLC

By: _____

Tamara Ayis Smith, Esq.
Attorney for the Plaintiff
State Bar No.: 27617
P.O. Drawer 2149
107 North Sixth Street
Wilmington, NC 28402
(910) 763-3340

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